IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

LINARES "LEE" SMITH and FREDERICK SMITH,

Plaintiffs,

* CASE NO.: 2:06-cv-918-ID-WC

BIG 10 TIRES, INC.,

v.

Defendant.

STIPULATION FOR DISMISSAL WITH PREJUDICE

Come now Plaintiffs Linares "Lee" Smith and Fred Smith, through their undersigned counsel, and Defendant Big 10 Tires, Inc., through its undersigned counsel, who constitute all the parties to this litigation, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, and stipulate for dismissal of this action with prejudice, all parties to bear their own costs and attorney's fees.

Respectfully submitted this 20 day of November 2007.

Attorney For Plaintiffs

Rocco Calamusa, Jr.

Attorney For Defendant William C Tidwell, III